

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NATHANIEL BROOKS, JR.

v.

LAURA WALKER

:
:
:
:
:

CIVIL ACTION

NO. 14-7383

FILED

JAN 26 2015

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 26th day of January, 2015, upon consideration of plaintiff's motion to proceed *in forma pauperis* and his *pro se* complaint, it is ORDERED that:

1. Leave to proceed *in forma pauperis* is GRANTED.
2. Plaintiff Nathaniel Brooks, Jr., #46735, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information provided by plaintiff, an initial partial filing fee of \$1.44 is assessed. The Warden or other appropriate official at the Chester County Prison or at any other prison at which plaintiff may be incarcerated is directed to deduct \$1.44 from plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 601 Market Street, Room 2609, Philadelphia, PA 19106, to be credited to Civil Action No. 14-7383. After the initial partial filing fee is collected and until the full filing fee is paid, the Warden or other appropriate official at the Chester County Prison or at any other prison at which plaintiff may be incarcerated, shall deduct from plaintiff's account, each time that plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 14-7383.

3. The Clerk of Court is directed to send a copy of this order to the Warden of the Chester County Prison.

4. The complaint is DISMISSED as legally frivolous and for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) & (ii), for the reasons stated in the Court's Memorandum. Plaintiff's claims against Judge Analisa Sondergaard, Laura Walker, District Attorney (Rep), and Judge Anthony Sarcione are DISMISSED WITH PREJUDICE because plaintiff cannot amend the deficiencies in those claims. Plaintiff's claims against "Sheriff Dept (Rep)" are DISMISSED WITHOUT PREJUDICE.

5. Plaintiff is given leave to file an amended complaint within thirty (30) days of the date of this order in the event he can state a claim against "Sheriff Dept (Rep)." If plaintiff chooses to file an amended complaint, he shall identify all defendants in the caption of the pleading and shall clearly state the basis for his claims against each defendant. Any amended complaint shall be a complete document and shall not refer back to any other pleadings that plaintiff filed in this case. Plaintiff shall not reassert any claims that have been dismissed with prejudice. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so ORDERED.

BY THE COURT:


THOMAS N. O'NEILL, JR., J.